

Land use plan – a document of the city in the transformation period

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Abstract

The cities of the Slovak Republic are also in the current transformation period depending to a large degree on the existence of planning documents and their implementation. The existence of a land use plan or its update is an essential condition to carry out concrete changes in the territory. The land use plan of the city is at present an object of research of the grant project. In this contribution we will attempt to summarise the first knowledge of research.

Key words: urban land use plan, planning documents, transformation period

Introduction

The cities of the Slovak Republic are also in the current transformation period depending to a large degree on the existence of planning documents and their implementation. The existence of a land use plan or its update is an essential condition to carry out concrete changes in the territory. The land use plan of the city is at present an object of research of the grant project. In this contribution we will attempt to summarise the first knowledge of research. We will point out the latest modifications in respective legal standards, will analyse the position of land use plans in the system of urban planning documents and within land use planning documentation, will evaluate the current process of land use plan creation. Then, we will analyse changes in the contents and form of the land use plan, the degree of foreknowledge about this document and the involvement of geographers in the process of preparing, approving and realising the land use plan.

Land use plan of the city as an objective of research

A more detailed research of urban land use plans has been hitherto absent in the current transformation period despite a fact that marked changes in our society already happened. We start from a supposition that the land use plan is further the most significant document for the development of a city. Our objective is to analyse the current state in the creation of land use plans from the viewpoint of geographers,

i.e. with emphasis on temporal-spatial aspects. The research is a part of the *VEGA Grant Project No 1/0116/03: Land use plans of the cities in the Slovak Republic in the transformation period* solved within 2003–2005. The major aims of the project are to analyse the contemporary position of urban land use plans in the system of planning documents, changes in legal norms, methodology. A surprise from the beginning of the research was an insufficient database on these documents; therefore an inventory of land use plans since 1990 is a part of the project. Within the research of urban land use plans we analyse changes in the process of their creation: the participants of this process, stages of elaboration, length of elaboration. The situation with elaborators has been radically changed; dominant State institutions were substituted by a network of private design firms.

In the next stage, a qualitative analysis of urban land use plans will follow. This will be aimed at the contents of land use plans – proportionality, the observation of methodological instructions, changes in textual and graphic parts, the quality of elaboration, the application of GIS and other informational sources, the level of data processing, the utilisation of scientific knowledge, the introduction of new trends in the development of cities and society, foreign experience, the co-ordination of land use plans with other planning documents (of a city, region, country). As long as it is possible, we would also like to penetrate the area of the realisation of land use plans, their modifications and amendments, and the area of the influence of property relations and entrepreneurial subjects on planning the city. Within the existing land use plans, we study the trend of eschewing the topic of a redress of mistakes in planning and building from the era of socialism. We consider the participation of geographers in working out land use plans as well as in the process of their creation to be insufficient up to now; their higher participation should also contribute to improving the quality of these documents. At the conclusion of the research, our land use plans should be compared with selected plans of cities abroad.

In summarising knowledge and proposals to optimise the process of land use plans creation, we would like to arrive at proposals to change the valid legal documents or methodologies, to optimise the composition of author's teams, to improve the position of geographers in the process of land use plans creation, to optimise the contents of land use plans and criteria of proportionality, and at proposals to improve the preparation of geographers for the process of planning documents creation.

All described researches concern the current statutory towns in Slovakia whose number has been 138 since 2001. Within the project we will analyse the land use plans of all cities; in the research conducted hitherto we have made an inventory for all cities. Knowledge presented in this contribution on the land use plan creation has been summarised on the basis of a lesser sample of 20 towns in the Slovak Republic.

Land use plan of the city and legislative process

A change in legal documents on land use plans creation should be one of the essential presuppositions for new approaches in this sphere. But what has reality been in the current transformation stage? In contradistinction to other domains of our society where changes usually started by new legal norms (admitting that sometimes

premature and insufficiently prepared), we have to accent the falling behind of the legislative process in the field of land use planning. Until 2000, the land use plans were elaborated according to the Act No. 50/1976 on Land Use Planning and Building Regulation (Building Code) with minimal amendments. It is true that until 2000 this Act was 7 times amended, however only the last amendment was more principal (the National Council of the Slovak Republic Act No. 237/2000). It was specified in the amendment that cities and rural settlements with the number of inhabitants over 2000 are obliged to have a land use plan. It refers to 136 out of present 138 towns in Slovakia, the other two have a lower number of inhabitants. It has to be said that a time limit was determined too for the mentioned obligation, namely by June 30, 2005, which fundamentally alters the situation and constitutes another impulse to conduct research in the given area.

A marked change has happened also in the definition of precise criteria to declare a commune to be a town. While during the first 10 years such criteria were not known at approving the statutory towns in the Parliament, within the amendment of the Slovak National Council Act No. 369/1990 on the Local Self-government – the National Council of the Slovak Republic Act No. 453/2001 – precise criteria were defined to be fulfilled by a commune (5 criteria in Clause 1) to be declared a town. From the viewpoint of the existence of planning documents it is interesting that it is required in Clause 4 so that a commune submitting an application encloses also a land use plan of the commune and another documentation proving that it fulfils all preconditions given in Article 1. The Regional Office then delivers the application of the commune along with its own standpoint to the Ministry of Interior of the Slovak Republic.

Despite a many years' effort, in the next years a new law on land use planning failed to be passed and the trend of amending the "socialist" Act from 1976 continued. It means that during the period of 2001–June 2003 three further amendments and a new regulation on land use planning supporting materials and land use planning documentation (Regulation of the Ministry of the Environment of the Slovak Republic No. 55/2001) were issued. A more principal change regarding the urban land use plans and primarily the organisation of all land use planning activities has been brought by the next realisation of the reform of public administration, which relates to the delegation of competencies from State administration to self-government (Act No. 416/2001). After the preceding delegation of competencies in other branches (school system, social sphere, etc.) during 2002, the powers of land use planning and building regulation have been passed from the District Offices to the building offices in selected communes since January 1, 2003. Such an activity of the building office is a delegated execution of State administration. A certain paradox is that the network of building offices began to be formed only after the delegation of this competency had come into operation. On the other side, an asset is that all the process was initiated by decisions from below. Gradually, within the first months of 2003, the building offices were established in the towns and larger communes with operation also for little communes in the vicinity.

Land use plan of the city in the system of planning documents

At present, the following planning documents may be found at the level of the city: a land use plan, a strategic plan, a landscape plan and a plan of sustainable development. The creation of land use plans was renewed after a certain aversion in the first years of transformation of our society; they form further the most frequent group of urban planning documents and are the most significant documents from the aspect of the territorial and economic development of the city. Over the recent years, however, other planning documents appear too. Above all, strategic plans should be mentioned. Although, it has to be acknowledged that the frequency of their creation is not so high as the current stage of the development of our cities deserves. Rather there are sporadic cases of this document – made for Bratislava in 1993 (Beňuška a kol., 1993), Trenčín, 1995 (Vaňová a kol., 1995), etc. This probably corresponds to the activity of self-government up to now, in which more the operational management and solution of accumulated problems in cities from the past dominated over an endeavour to do strategic visions into the future. It is reflected hitherto also on the composition of Commissions within the City Councils and on the organisational structure of City Offices (the absence of departments for the strategy of city development as a rule). In the last years, several foreign companies try to entrench on our planning “market”. They offer chiefly a methodology for the creation of strategic documents for cities and regions. We can exemplify the firm Bergman Group operating in Central Europe (since 1995 in the Czech Republic, since 1999 in Poland and in 2001 in the Slovak Republic too) through that strategic plans for 4 cities have been developed – Trnava, Šaľa, Prešov and Humenné (Horanská, 2002). There is an assumption that the intensity of the creation of these documents will be considerably increased in the next years. In case that there exists such a strategic document in a city, the current land use plan should stem from it and all planned changes in the functional utilisation of territory should be in harmony with it. In the hitherto transformation stage, the so-called Complex programme for the development of the city was more frequent in towns of Slovakia. Mayors of cities usually presented themselves by this document; either during the election period or in the pre-election battle. The landscape plans and the plans of sustainable development belong also to the new planning documents of towns. The trend of elaborating such documents has been gradually intensifying in the last years and is fully in conformity with global and European activities and documents.

The land use plan of the city belongs to the land use planning documents. At present, land use planning documentation is worked out at four hierarchic levels. Fundamental trends in urban planning are indicated in the national *Conception of the Territorial Development of Slovakia* (1994, 1997, 2001). The *land use plans of large territorial units* are related to this Conception and were elaborated for all four Slovak regions in the years of 1997–1998. At this level, their term has been changed to the *regional land use plans*. However, the *urban land use plans* (until recently the *land use plans of settlement units*) as well as the *zone land use plans* (plans for the parts of towns) are the most concrete for the cities. It has to be reminded that all land use planning documents concerning the towns should be in harmony with documents dealing with both regional development and sustainable development.

The land use plan of the city represents a basic tool for the authorities of self-government and State administration in the process of deciding on the territorial and economic development in the territory of a city and its hinterland. Legal documents enable to work out a land use plan for the territory of one or more communes. In contrast to the communist stage, when several examples of common land use plans primarily for twin cities existed, in the current stage we are able to find not a single one such case among the towns of the Slovak Republic. The land use plan should set prerequisites for a harmonic development of the city, city parts and interest area at respecting the conditions of a territory, its natural and cultural values and at improving the quality of the environment. The land use plan thus proposes the functional, operational and spatial organisation of a territory, directions and basic regulations to utilise individual areas in accordance with the strategic objectives of city development (if only they do exist). On the basis of hitherto knowledge a critical standpoint can be expressed against insufficient harmonising several contemporary land use plans of towns with other planning documents.

Process of land use plan creation

An impulse to procure the land use plan of a city comes from the Municipal Office or also from bigger investors in the city. The main problem to procure the document is formed by financial means. The price for a land use plan according to the price list depends on the size of the city and the complexity of the respective territory. Such a price ranges from several hundred thousands up to several millions of Slovak crowns.

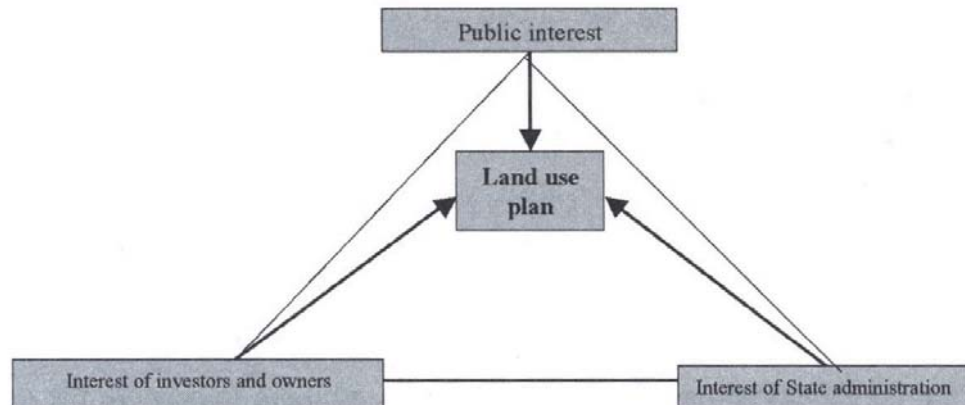
Participants in the process of land use plan creation

According to the National Council of the Slovak Republic Act No. 103/2003, three main participants enter the process of urban land use plan creation: the *procurer* (City Office), the *approving authority* (City Council) and the *elaborator* (elaborating company). Up to now, the professional competency was required only from the elaborator, in the current stage it is demanded also from the procurer. It is a paradox that the City Council is prepared to this task in the least degree, although it has the decisive word finally and it approves the land use plan of the city after expressions of the institutions concerned. The procurer invites tenders for working out a land use plan; the plan is procured by the National Council of the Slovak Republic Act No. 263/1999 on Public Procurement. At least three elaborators have to take part in the tender. The companies submit their tenders, including a price proposal and a date of elaboration and also document their professional competency to elaborate such a plan. On the basis of the most favourable tender, the commission selects a winner with whom it concludes a contract on work to elaborate the land use plan. The number of the contract and the process of land use plan creation are given within the elementary data in the textual part of the document. Subjective factors too (the course of company selection, lobbying, etc.) may play quite a significant role during the tender.

The land use plan of the city is a compromise of three main participants (Graph 1). The City Council should defend the interests of the city with the aim of ensuring a

well-balanced development of the entire city. The interests of the city are those of the City Council and of the inhabitants of the city. Then, the next investors promote own investment interests to increase the value of their property to a maximum extent. The authorities of State administration and the managers of utility lines protect the interests provided by law and priorities as agricultural land resources, natural environment and the like. The land use plan has to find a reasonable compromise among these different interests (adapted by Kubeš, Perlín, 1997).

Graph 1 Position of the land use plan as a result of an agreement among the main participants in the process of planning



Source: Kubeš J., Perlín R. (1997): Územní plánování pro geography (Land use planning for geographers). Prague, Carolinum UK.

Stages of land use plan elaboration

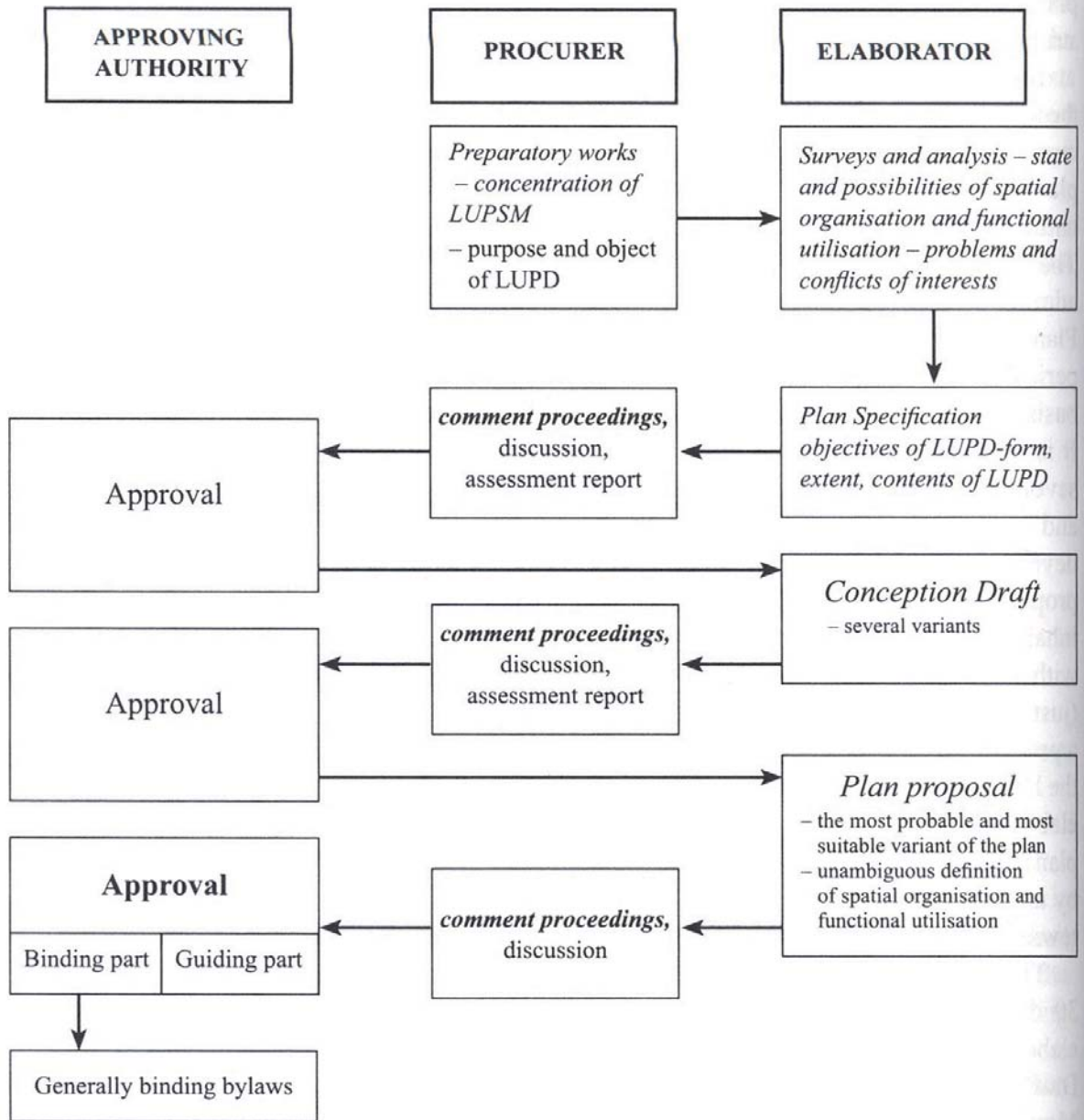
The process of land use plan creation is legally embedded in the National Council of the Slovak Republic Act No. 103/2003 and in the Regulation of the Ministry of the Environment of the Slovak Republic No. 55/2001 on Land Use Planning Supporting Materials and Land Use Planning Documentation (Graph 3). An exception in the process of procuring, developing and discussing is represented by the communes to 2000 inhabitants, for which their land use plan may be worked out at the level of a zone land use plan. Out of the contemporary Slovak towns it applies only to Dudince (with 1500 residents in 2001) and Modrý Kameň (1434 inhabitants). Before starting the works, the procurer collects for the elaborator the supporting materials for the document (preparation works) and issues an announcement on the beginning of the process of land use plan creation. On the basis of the preparation works, the elaborator works out *Surveys and Analysis*. The aim of this first document is to gain knowledge on the state and possibility of development as regards the spatial arrangement and functional utilisation of area, to define the problems and conflicts of interests. The elaborator should use all preceding land use planning documents and land use planning supporting materials. However, it is not always so done and this circumstance indicates a weaker preparedness to elaborate the final variant of the plan at the very beginning of the process. Another important source of information on the respective territory is a data base of statistics, maps and plans, analyses of hitherto development and other documents. As far as statistical data

are concerned, a higher share of data obtained by own field research is absent in more plans. The documents of individual phases have the textual, tabular and map parts; their structure is determined by the Regulation No. 55/2001.

In harmony with the results of *Surveys and Analysis*, the author's team elaborates the second document entitled *Plan Specification* (former *Urban Principles*). This document comprises cardinal objectives and requirements to be dealt with in the land use plan. The city discusses the Plan Specification with the concerned legal entities and natural persons, the concerned communes and the authorities of State administration. The respective Regional Office works out an assessment report for all organs of State administration. The city then announces a proceedings accessible to the public of the Plan Specification and displays it in a notice board for public inspection (during the period of 30 days). The Plan Specification is approved by the City Council. On the basis of the approved Plan Specification, the elaborator works out a *Conception Draft*. It is the first version of an area development plan. A specificity of this phase is that several variants have to be proposed along with a substantiation of economic, social and ecological consequences. The first variant – progressive, prognosticates a marked development of the city with an increase of inhabitants. The second variant – regressive, proposed stagnation with a decline in the importance of the city and a decrease of inhabitants. The third variant represents an endeavour to propose an optimum third way, with stagnation or a moderate growth of population. The Conception Draft is elaborated (just as the Plan Specification) in the textual, tabular and map forms and comprises also a proposal of the binding part. It is not necessary to work out the Conception Draft for the land use plan of communes having to 2000 residents. It is possible to withdraw from elaborating the Conception Draft (following a proposal of the procurer of the land use plan), also in the case of approving the Plan Specification, if the territory was examined by an *Urban Study* before doing the Plan Specification. This has been the case of the towns of Galanta and Nové Mesto nad Váhom at present.

The city displays the Conception Draft for public inspection for the period of 30 days and then announces a proceedings accessible to the public. The city then elaborates an assessment report on the results of the proceedings of the Conception Draft. In the assessment all comments raised to the Conception Draft are registered. Most often, comments are made by citizens and concern their lands or the functional utilisation of single areas in the territory under study. The proposal of the plan is already without variants; out of the variants given in the Conception Draft, the most suitable and probable variant is chosen. The proposal is then displayed for the public during the period of 30 days. The city discusses the document with legal entities and natural persons, communes and respective authorities of State administration. Then the city submits its *Land Use Plan Proposal* to the Regional Office to check up whether the contents of the proposal is in agreement with the binding part of an approved land use document of the higher degree (i.e. Regional land use plan and Conception of the Territorial Development of Slovakia). The Regional Office checks up too whether the contents of the proposal and the procedure of its procuring and discussing are in conformity with the legal regulations and whether the proposal is in conformity with the Plan Specification. The City Council then approves the land use plan and officially promulgates its binding parts by a generally binding municipal bylaw.

Diagram 1 Process of the land use plan creation of the city



Arrows indicate sequence in the process; LUPSM = land use planning supporting materials, LUPD = land use planning documentation

Duration of the process of land use plan creation

Duration of the process of land use plan creation is specific for every city. It depends not only on possible problems arisen in the phase of creation or approving, but also on an overall approach of the participants in the process of land use planning. The process of land use plan creation takes 4 years on average. However, there exist individual cases more markedly differing from this average. On average, one of the four phases lasts approximately 1 year; but the phases that fall under the comment proceedings (2nd, 3rd and 4th one) take longer as a rule. The elaboration of the 1st document – Surveys and Analysis – is a matter of the first months from concluding the contract with the elabo-

rator. Problems may arise between the single phases or at final approving. In case that no time horizon is set in the contract for the termination of works, the elaborator may protract the entire process. Problems in the phase of approving and the protraction of the entire process depend also on an approach of the town and its interest to finish the works soon. The city is obliged regularly, at least once in 4 year, to review the approved land use plan whether its changes or amendments or even the procurement of a new land use plan are necessary. The approved land use plan is available at the City Office and it should be available also at a District and Regional Office before the delegation of competencies. The Slovak Environmental Agency entrusted by the Ministry of the Environment in the Slovak Republic deals with the registration of land use plans of the communes in the country. It is a duty of the communes to send to the above-mentioned institution a registration form with all fundamental data on the new land use plan after its approval. Far not all cities and rural settlements observe this obligation, which makes the precise record-keeping more difficult.

Elaborators of land use plans

The situation with elaborators was relatively simple prior to 1990. Altogether 118 approved land use plans of towns in Slovakia were worked out by only 5 elaborators. State planning institutions as Urbion and Stavoprojekt with their branches in several cities had a dominant position and made the land use plans of 113 towns (out of that Urbion 52 and Stavoprojekt 61). The remaining cities elaborated their land use plans mostly through the Offices of the Chief Architect (as Bratislava, Banská Bystrica, etc.) (Slavík, Kožuch, 2002).

Following 1990, the situation with elaborators has been radically changed. After the abolishment of the State land use planning institutions, a network of non-State planning institutions has been gradually formed. In total, 71 new land use plans were worked out by 38 various elaborators. Out of this number, 15 author's teams made more than 1 plan (Tab. 1) and 23 firms elaborated just 1 land use plan. The latter are mostly little firms with local operation only in one town. Hitherto, there has not been even one firm having gained a dominant national position out of the current elaborators. The most important elaborator in West Slovakia has become the company *AUREX* Bratislava (7 land use plans of towns) and *Stapring Nitra* (4 plans); in East Slovakia it is *Urban* Košice (4 plans) and in Central Slovakia three companies settling in Banská Bystrica – *Arch-Eko*, *A.U.R.A.* and *Urkea* (each made 4 plans).

Tab. 1 Elaborators of land use plans (1991–2002)

Elaborator	Settle of elaborator	Number of plans	Share from all plans (%)
AUREX	Bratislava	7	9.9
ARCH-EKO	Banská Bystrica	4	5.6
A.U.R.A.	Banská Bystrica	4	5.6
URBAN	Košice	4	5.6

Elaborator	Settle of elaborator	Number of plans	Share from all plans (%)
URKEA	Banská Bystrica	4	5.6
STAPRING	Nitra	4	5.6
AA-SKA	Braislava	3	4.2
ARKONA	Košice	3	4.2
Hanzalík	Bratislava	3	4.2
AGS	Prievidza	2	2.8
EKOPOLIS	Bratislava	2	2.8
FUTURE	Banská Bystrica	2	2.8
HUMA 90	Bratislava	2	2.8
HUPRO	Bratislava	2	2.8
SAN HUMA' 90	Nitra	2	2.8
Elaborators of more than 1 plan	5	48	67.6
Elaborators of 1 plan		13	32.4
Sum		71	100

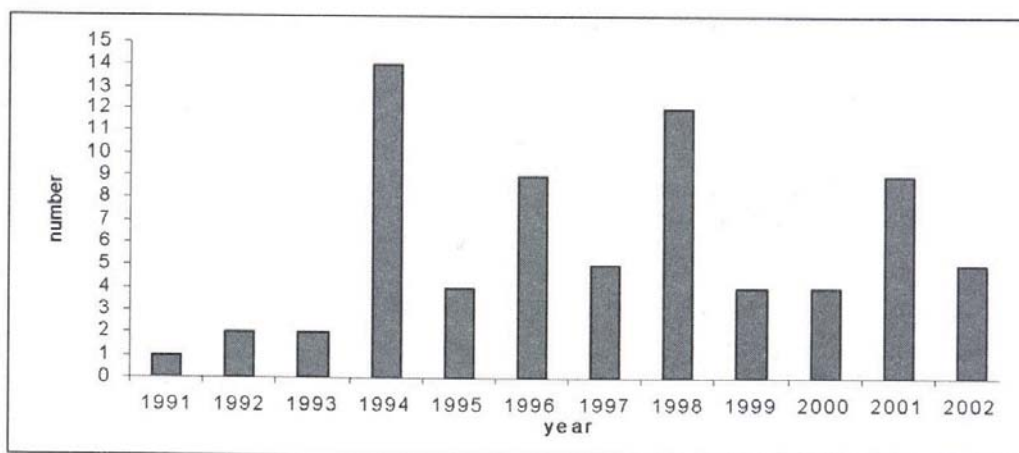
Composition of the author's team

The author's team developing a land use plan consists of a head of the team and the members of the team. According to the respective law, only an authorised architect is professionally competent to work out the land use plan of a city. A way of gaining this professional qualification is defined by the Act No. 136/1995 on Professional Competency for Selected Activities in Construction. As a rule, the composition of the author's team depends on the head of the team. The complex and comprehensive nature of elaborating the land use plan requires an interdisciplinary team composed of several experts in single areas. In working out land use plans it is possible to engage a broad team of specialists in various professions: architect-town planner, economist, geographer, environmentalist, sociologist, historian, lawyer, technical engineer, traffic engineer, agricultural engineer etc. The number of all authors in the team may range from several individuals (case of the Nové Mesto nad Váhom town – 5 persons) up to several tens (case of the Poprad town – 20 persons). The most numerous professions in the team are usually engineers of different orientation. The elaborating companies do not have a stable circle of collaborators; they address experts from a given area to elaborate chapters into the land use plan. Therefore the same authors may be found in several documents. Even the most significant firms, as e.g. Aurex, keep only a small team of experts and invite other specialists from respective areas to collaborate. Most often are addressed experts to work out the chapters of Town-planning, The territorial system of ecological stability and Transport. Even land use plans elaborated by the same firm are not made by the identical author's teams, if the principal author is not identical. As long as the participation of geographers is concerned, they do not occur in all teams. Geographers take part at most in socio-economic and "natural" chapters, most often within elaborating the chapters of Demography, The environment, Agriculture.

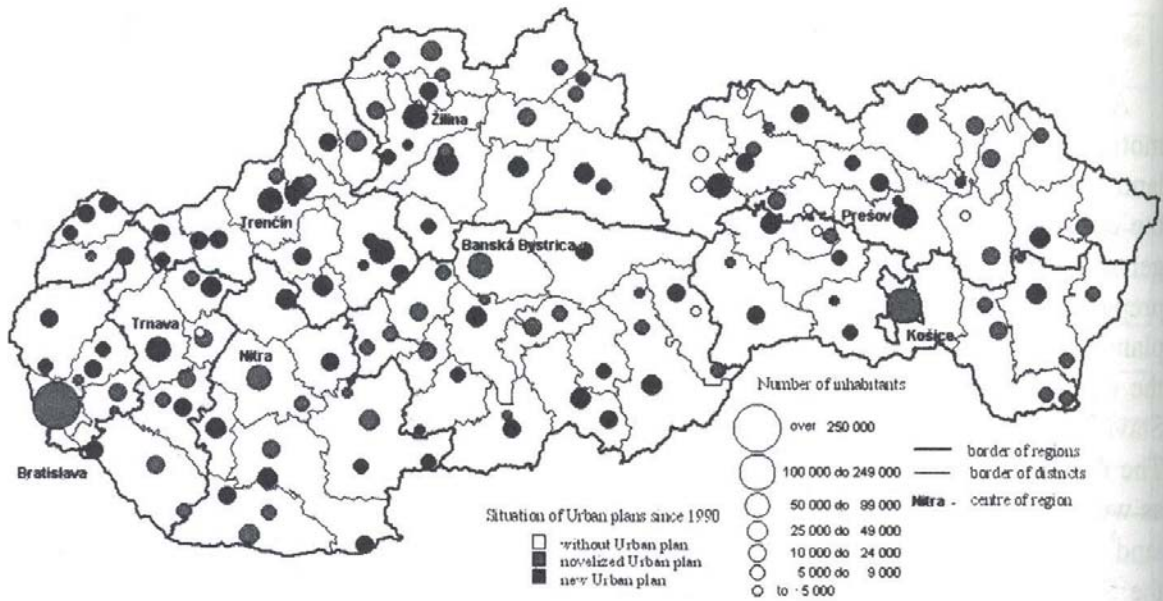
Approving of land use plans in the Slovak Republic

At the end of 1980's, the process of procuring land use plans for cities was fully in motion in Slovakia. Until 1989, 118 out of hitherto 138 statutory towns had an approved land use plan. Since momentous political and societal transformations came about at the end of 1989, it was reflected also in approach proper to the planning of cities. A general aversion to planning arose (Slavík, 1999) including the land use plans under preparation. Marked changes occurred, which were not considered by the old land use plans. Following the primary aversion to the term "plan" in our society after 1989 and the consequential abolishment of the most important planning institutions (Urbion, Stavoprojekt, VÚOP) a certain soberness and return to planning documents happened. The reassessment of hitherto approved documents and those being under preparation as well as their completion took place. The procedure of the assessment of approved land use planning documentation was based on methodological instructions issued by the Slovak Commission for the Environment in 1992. A result of this reassessment consisted in the classification of land use planning supporting materials and land use planning documentation according to the degree of their further application into: satisfactory, satisfactory after the modification of the binding part, unsatisfactory with the need for their updating, and unsatisfactory with the proposal for their cancellation. The process of new land use plans creation was thus prolonged and in certain case stopped or even totally cancelled.

New land use plans of towns were mostly not carried out in the first years of transformation of Slovak society. At that time other, more acute tasks were solved related to the restoration of self-government in the cities and communes. The amendments of the Act No. 50/1976 on Land Use Planning and Building Regulation (Building Code) eliminated those provisions that lost their substantiation in new societal conditions. The directive documents controlling the process of urbanisation in Slovakia were replaced by the planning documents of a recommending character. After certain soberness and realising the needs of land use plans, the process of elaborating and approving the land use plans was reopened in the Slovak Republic in the mid – 1990's (Graph 2). Besides new plans, the documents amending old land use plans of towns were approved too.



Graph 2 Number of approved land use plans of cities in Slovakia (1991–2002)



Map 1 Form of elaborating the land use plans of cities in Slovakia since 1990

The first reassessed land use plans were the older unfinished land use plans of the cities of Bardejov (1991), Veľký Krtíš, Giraltovce (1992) and Trnava, Michalovce (1993). We can say about revival in the creation of land use plans only in 1994 when as many as 14 towns approved their new land use plans. Up to now, the most frequent way generally was represented by the approval of a new land use plan (71 towns). The cities having their land use plan elaborated at the end of the era of the preceding regime usually opted for a variant of amending the plan. The number of such cities reached 59 and also several largest Slovak cities belonged to this group (Bratislava, Košice etc.). Until 2002 8 cities did not have an approved land use plan. This group was formed by small towns (one in West Slovakia – Leopoldov, others in East Slovakia). The biggest town without a land use plan was Svit. According to the new law, obligation to approve a new land use plan prior to June 30, 2005 is valid. Such an obligation is valid also for the communes that should be declared a statutory town soon.

Contents of the land use plan

The land use plans of cities are elaborated in the form of textual, graphic and map parts. The contents of single parts is determined by the Regulation No. 84/1976 and its amendments No. 55/2001 on Land Use Planning Supporting Materials and Land Use Planning Documentation. The textual and tabular parts are linked into one component. Some map parts are made smaller and incorporated into the document. The map parts are simultaneously worked out also on separate drawings. The common textual and tabular part constitutes a document in A4 size, exceptionally in A3 (e.g. land use plan of Galanta). The text is divided into the chapters and subchapters devoted to single thematic areas.

Textual and tabular parts of the land use plan of a city

The fundamental information on document (as the title of the document, the phase of elaboration, the name of the elaborator and the year of elaboration) may be found on the cover of the textual part. Likewise, confirmations on the authenticity of the document – a stamp of the authorised architect and a stamp of the City Council confirming the approval of the document – are in the plan along with the fundamental data on the document. The form of presenting all the information is individual and depending on the elaborator. The textual part is in the form of an extensive text, having 100 and more pages. Introductory pages of the land use plans are dedicated to the list of authors and persons participating in the elaboration of the document and indicate the concrete chapters worked out by them. The contents of the land use plan follows this list. According to the Regulation No. 55/2001, the contents is divided into the *basic data, land use plan itself, complementary data and a documentary part*.

The introductory part is devoted to the basic data on the document and its creation. The most extensive part is formed by the proposal of the plan. This part comprises the delimitation of the concerned territory, its geographical description and a broader regional context. Then, the principal demographic, social and economic developmental presuppositions of the town and the chapter Town-planning follow. A part of the text is represented by a proposal for the functional utilisation of the territory in the town with the definition of prevailing functional areas (housing, mixed area, public utilities, industrial area, recreational area, including the definition of admissible, limiting and prohibited functional utilisations). The last chapters are formed by those named Transport, Technical infrastructure, Agricultural and Forestry, The environment (including the delimitation of protective zones and protected areas and a proposal of elements in the territorial system of ecological stability). Finally, the delimitation of the protective zones of fire protection, defence, prospecting and mining areas and flood protection areas concludes the proposal of the plan.

The land use plan contains the binding and guiding parts. The former is elaborated in the document along with the latter. Individual points of the binding part of the land use plan are a basis to prepare a generally binding municipal bylaw and are thus the legally binding parts from the entire land use plan. The binding part is made up of regulations, namely in the graphic as well as textual forms. In practice, the binding part often forms a one tenth of the whole text (Perlín, 1999). The guiding part is constituted by another text that explains, completes or extends single regulations or predicts further utilisation of the territory. Binding is primarily the delimitation of buildings beneficial to the public (possibility of expropriation), then the town-planning and functional regulations of the territory and the determination for which city parts it is necessary to procure and approve a zone land use plan. The complementary data of the urban land use plan are represented by numerical data, tables, overviews, graphs and other data with their sources: it is not practical to give them in the text. The documentary text encompasses a set of comments out of the comment proceedings to the Plan proposal.

A prospective horizon of validity is determined for every land use plan. This horizon may have two or three phases (for example, the 1st phase till 2000, the 2nd one till 2010). The first phase involves such investment intentions for which planning permissions

or building permits have already been issued or are currently under preparation. At elaborating the prognoses of development of the respective population, prospective horizons of plans are often based on a document from the Statistical Office of the Slovak Republic that worked out "*Prognoses of population until 2015 with migration*" in 1994.

Despite that the Regulation 55/2001 on Land Use Planning Supporting Materials and Land Use Planning Documentation defines what has to be the contents of the land use plan, not all plans have the same structure, contents and graphics. With regard to a fact that it is not clearly defined in the Regulation in what degree the legal requirements referring to the contents should be fulfilled, the chapters are elaborated with different extent and in different quality. This state enables elaborators a freer interpretation of

the contents. Some chapters – if they are worked out – have considerable shortcomings. It is caused by the number of elaborators and their individual approach to the land use plan as well as by a great variability of problems in the towns. The quality of the land use plan thus does not depend on the size of a city but chiefly on the methodology used by an elaborator. Plans worked out by the identical firm have almost the same structure and proportionality of chapters in the text.

The proportionality of chapters is not well balanced in all land use plans. For instance, 84% of the text in the land use plan of the *Ružomberok* town is represented by 2 chapters only (Town-planning and Technical infrastructure). Analogically, in the land use plan of Bardejov it has been 56% (Functional components and Technical infrastructure); merely one chapter prevails in the land use plans of *Šal'a* (46% – The environment) and *Skalica* (51% – Town-planning). The chapters elaborated in plans most insufficiently are Natural conditions, Urban economy, Demography and Housing stock. The chapter The position of the city in a broader regional context is missing increasingly with reducing the size of the city. Plans of smaller towns are thus worked out explicitly locally, without wider relations to a region or international position.

Graphic part of the urban land use plan

Besides the textual and tabular parts, the land use plan has to contain the graphic part too. The graphic and textual parts should be in accordance. The list and recommended map scales are presented in the Regulation No. 55/2001. The graphic part of the land use plan of the city should comprise the main drawings at a scale of 1 : 10 000 or 1 : 5000, or at a scale of 1 : 2880 or 1 : 2000. A drawing of the broader context should be done at a scale of 1 : 50 000 or 1 : 25 000. The principal town-planning drawing is made at the set scales; it delimits the functional utilisation of single areas. It means that the coloration of each area in the concerned territory defines a basic function that this area will have. In this way, the current built-up areas, the newly proposed areas to construction and the areas to remain unbuilt are defined. At the same scales, the mandatory drawings of agricultural land resources utilisation with depicted areas to be removed from these resources and a drawing with buildings beneficial to the public are further linked to the principal drawing. Next drawings are usually worked out for the individual networks of technical infrastructure and transport situation. Separate drawings are further elaborated to depict the single elements of nature and landscape

protection. The amount of drawings depends also on the area and complexity of the concerned territory. As a rule, 3 to 5 drawings are made for smaller towns, but several dozens special drawings may be done for large cities. Each drawing is completed with a legend. The maps are worked out either in a classical way (manually drawn), or more recently in a digital way (above all in the firm Aurex).

Conclusion

The land use plans of cities in the Slovak Republic form a significant document and a presupposition of the next urban development also in the current transformation stage. The new land use plans should take into account changes that happened in our towns in the past, are taking place at present or are expected to arise in the future. The hitherto research of these documents has confirmed several shortcomings in the entire process of their creation and a need to correct and eliminate these shortcomings. Primarily the legislative process lags behind in comparison with other spheres of society. During the first decade of the transformation stage, certain reserves were also in the degree of knowledgeability and fundamental databases on these documents. The greatest attention was focused on the elaborators in the process of land use creation up to now. It has to be stated that relatively a broad spectrum of new elaborating companies brings also an element of the greater differentiation of single plans from the viewpoint of the quality of their elaboration. It will be necessary to lay much greater emphasis also on the further participants in the process of land use creation – i.e. the procurers, reviewers and approving authorities – and on their preparedness. The current land use plans should be harmonised with other planning documents in a higher degree. The next phase of the research, extended to all contemporary land use plans of Slovak towns, should enhance and deepen this knowledge as well as bring new information from the realms outlined in the introductory part.

References

- Anketa – Co si myslíte o účinnosti územných plánů ? *Architekt*, 1998, č. 7–8, s. 16–18.
- BEŇUŠKA, P. a kol. (1993): *Stratégia rozvoja hlavného mesta SR Bratislavy. Vybrané aspekty stratégie (návrh)*. Bratislava, Útvar hlavného architekta hl. mesta SR Bratislavy a Aurex pre Magistrát hl. mesta SR Bratislavy. 81 p.
- HORANSKÁ, E. (2002): *Príležitosť praje najmä pripraveným*. *Verejná správa*, 57, 12, pp. 22–23.
- JANČURA, P. (2001): *Územné plánovanie. Sylaby pre potreby V. ročníka FEE*. Zvolen, Technická univerzita. 44 p.
- Koncepcia územného rozvoja Slovenska*. Bratislava, Ministerstvo životného prostredia SR, Aurex 2001.
- KOŽUCH, M. (2002): *Územné plány miest SR od roku 1990*. – [Diplomová práca]. Bratislava. Univerzita Komenského, Prírodovedecká fakulta. 113 p.
- KUBEŠ, J., PERLÍN, R. (1997): *Územní plánování pro geografý*. Praha, Karolinum UK.
- PERLÍN, R. (1999): *K čemu slouží územní plán*. *Geografické rozhledy* č. 1, s. 13, č. 2, s. 41, č. 3, s. 69, č. 5, s. 126.
- SLAVÍK, V. (1999): *Settlement Coceptions and Planning in Slovakia during Transformation Period*. *Acta Facultatis Rerum Naturalium Universitatis Comenianae, Geographica Supplementum*, Nr. 2/II. Bratislava, Univerzita Komenského, pp. 253–268.

- SLAVÍK, V. (2000): New trends in settlement development and settlement planning of the Slovak Republic in the process of transformation. *European Spatial Research and Policy*, 7, No. 2, pp. 35–49.
- SLAVÍK, V., KOŽUCH, M. (2002): Plánovanie miest SR v transformačnej etape. *Geografické informácie 7*. Nitra, Fakulta prírodných vied Univerzity Konštantína Filozofa v Nitre, pp. 235–241.
- VAŇOVÁ, A. a kol. (1995): Stratégia rozvoja mesta Trenčín do roku 2000 a súbor odporúčaní pre obdobie po roku 2000. Banská Bystrica, IROMAR pre MsÚ Trenčín. 81 p.
- Vyhláška Ministerstva životného prostredia SR č. 55/2001 Z. z. o územnoplánovacích podkladoch a územnoplánovacej dokumentácii. *Zbierka zákonov SR*, Č. 22, s. 754–763.
- Zákon NR SR č. 263/1999 Z. z. o verejnom obstarávaní. *Zbierka zákonov SR*.
- Zákon NR SR č. 237/2000 Z. z., ktorým sa mení a dopĺňa zákon č. 50/1976 Zb. o územnom plánovaní a stavebnom poriadku (stavebný zákon) v znení neskorších predpisov a o zmene a doplnení niektorých zákonov. *Zbierka zákonov SR*, Č. 102, pp. 2907–2931.
- Zákon NR SR č. 416/2001 Z. z. o prechode niektorých pôsobností z orgánov štátnej správy na obce a na vyššie územné celky. *Zbierka zákonov SR*, Č. 171, pp. 4482–4530.
- Zákon NR SR č. 103/2003 Z. z., ktorým sa mení a dopĺňa zákon č. 50/1976 Zb. o územnom plánovaní a stavebnom poriadku (stavebný zákon) v znení neskorších predpisov a o zmene a doplnení niektorých zákonov. *Zbierka zákonov SR*, Č. 49, pp. 638–639.
- Zákon NR SR č. 263/1999 Z. z. o verejnom obstarávaní. *Zbierka zákonov SR*.
- Land use plans of 20 cities (Trnava, Poprad, Nové Zámky, Humenné, Bardejov, Ružomberok, Piešťany, Šaľa, Pezinok, Nové Mesto n. V., Senica, Malacky, Galanta, Skalica, Šamorín, Holíč, Moldava n. B., Modra, Stupava, Gbely)